

**MINUTES OF THE PEORIA CITY COUNCIL**  
CITY OF PEORIA, ARIZONA  
CITY COUNCIL CHAMBER  
April 25, 2023

A **Study Session Meeting** of the City Council of the City of Peoria, Arizona was convened at 8401 West Monroe Street in open and public session at 5:00 p.m.

**Members Present:** Mayor Jason Beck; Vice Mayor Denette Dunn; Mayor Pro Tem Jon Edwards; Councilmembers Jennifer Crawford, Michael Finn, Bill Patena and Brad Shafer.

**Members Absent:** None.

**Other Municipal Officials Present:** Henry Darwin, City Manager; Rick Buss, Assistant City Manager; Chris Hallett, Acting Deputy City Manager; Emily Jurmu, City Attorney; Lori Dyckman, City Clerk; Thomas Adkins, Intergovernmental Affairs Director; Gary Bernard, Fire Chief; Jay Davies, Public Works Director; Chris Jacques, Planning and Community Development Director; Scott Kurish, Office of Innovation Director; Adina Lund, Development and Engineering Director; and Marcel Spaulding, Deputy Police Chief;

**Audience:** Approximately 4 members of the public were present.

**STUDY SESSION AGENDA**

**Subject(s) for Discussion Only**

1. **Amendment to Zoning Code - Marijuana Establishments**

Chris Jacques, Planning and Community Development Director, presented the Amendment to Zoning Code in regards to Marijuana Establishments. Information included:

- Introduction
- Purpose
- Applicant
- Requested Changes
- Legislative Background - Proposition 203 and 207
- Peoria's Zoning Regulations
- Proposed Amendments
- Next Steps

Discussion ensued regarding:

- Delivery regulations and requirements
- Dual licensing – Medical and Establishment/Adult Use
- Potency limitations
- Revenues and taxes lost if not amended
- Safety issues
- Proposition 203 and Proposition location allocation
- Total establishments and tax revenue within neighboring cities
- Staff recommendation

Being no further business to come before the Council, the meeting was duly adjourned at 5:51 p.m.

A **Regular Meeting** of the City Council of the City of Peoria, Arizona was convened at 8401 West Monroe Street in open and public session at 6:03 p.m.

Following an invocation, Councilmember Edwards led the Pledge of Allegiance.

**Members Present:** Mayor Jason Beck; Vice Mayor Denette Dunn; Mayor Pro Tem Jon Edwards; Councilmembers Jennifer Crawford, Michael Finn, Bill Patena and Brad Shafer.

**Council Youth Liaisons:** Avi Agarwal and Mikah Dyer.

**Members Absent:** None.

**Other Municipal Officials Present:** Henry Darwin, City Manager; Rick Buss, Assistant City Manager; Chris Hallett, Acting Deputy City Manager; Emily Jurmu, City Attorney; Lori Dyckman, City Clerk; Thomas Adkins, Intergovernmental Affairs Director; Kevin Burke, Finance and Budget Director; Gary Bernard, Fire Chief; Chris Calcaterra, Parks and Recreation Director; Jay Davies, Public Works Director; Chris Jacques, Planning and Community Development Director; Soctt Kurish, Office of Innovation Director; Adina Lund, Development and Engineering Director; Marylou Stephens, Arts, Culture and Library Services Director and Jill Boltz, Deputy City Clerk.

**Audience:** Approximately 100 members of the public were present.

**Note:** The order in which items appear in the minutes is not necessarily the order in which they were discussed in the meeting.

**Clerk's Note:** Agenda Items 2C, 3R and 4R were voted on separately by the Mystic at Lake Pleasant Heights Community Facilities District Board. The legal actions for these items will be reflected separately in the April 25, 2023 Mystic at Lake Pleasant Heights Community Facilities District Board minutes.

**Clerk's Note: Agenda Items 5C and 6R were voted on separately by the Vistancia North Community Facilities District Board. The legal actions for these items will be reflected separately in the April 25, 2023 Vistancia North Community Facilities District Board minutes.**

**Presentations:**

**7. Proclamation Recognizing the Sunrise Mountain High School Girls' Basketball Team as State Champions**

Council Youth Liaison Dyer read aloud the Proclamation recognizing April 25, 2023 as Peoria Sunrise Mountain Girls' Basketball Champion Day. Councilmember Patena presented the proclamation to the team.

**8. Proclamation Recognizing the Peoria High School Boys' Basketball Team as State Champions**

Council Youth Liaison Dyer read aloud the Proclamation recognizing April 25, 2023 as Peoria High School Boys Basketball Champion Day. Vice Mayor Dunn presented the proclamation to the team.

**9. Proclamation Recognizing Nylease Yzgere as the Individual State Girls Wrestling Champion**

Council Youth Liaison Dyer read aloud the Proclamation recognizing April 25, 2023 as Nylease Yzgere – Peoria High School Female Wrestling Champion Day. Vice Mayor Dunn presented the proclamation to Ms. Yzgere.

**10. Proclamation Recognizing the Liberty High School Girls' Wrestling Team as State Champions**

Council Youth Liaison Agarwal read aloud the Proclamation recognizing April 25, 2023 as Peoria Liberty Lions Girls Wrestling Back-to-Back State Champion Day. Mayor Pro Tem Edwards presented the proclamation to the team.

**11. Proclamation Recognizing Ben Krawczenko and Anthony Ruiz as State Champions**

Council Youth Liaison Agarwal read aloud the Proclamation recognizing April 25, 2023 as Peoria Liberty Lions Boys Wrestling State Champion Day. Mayor Pro Tem Edwards presented Mr. Krawczenko and Mr. Ruiz with the proclamation.

**12. Proclamation Recognizing the Liberty High School Pom Squad as State Champions**

Council Youth Liaison Agarwal read aloud the Proclamation recognizing April 25, 2023 as Peoria Liberty Pom Hip Hop Squad Back-to-Back State Champion Day. Mayor Pro Tem Edwards presented the proclamation to the team.

**CONSENT AGENDA:** All items listed on the Consent Agenda are considered to be routine or have been previously reviewed and/or discussed by the City Council and will be enacted by one motion. There will be no separate discussion of these items. If the Presiding Officer receives a timely notice of a request for removal, an item may be removed from the Consent Agenda for consideration on the Regular Agenda.

Mayor Beck announced that the Consent Agenda included a Public Hearing on a liquor license application for a New Restaurant (Series 12) Liquor License for Someburros located at 8200 West Thunderbird Road, Timothy S. Vasquez, Applicant; (b) a New Restaurant (Series 12) Liquor License for Canela's Placita, located at 9976 North 91st Avenue #109, Cecilia Coronel, Applicant. There were no requests from those present to address this agenda item.

Mayor Beck asked if any Councilmember wished to have an item removed from the Consent Agenda.

Vice Mayor Dunn requested that Agenda Item 19C be removed for separate discussion.

Motion was made by Councilmember Patena, seconded by Councilmember Finn, to approve the Consent Agenda with the exception of Agenda Item 19C.

Upon vote, the motion carried unanimously 7 to 0.

### **13 C. Minutes**

Approved the following minutes: March 29, 2023 Budget Study Session April 4, 2023 Council Meeting.

### **14 C. Board and Commission Appointments**

Approved the recommendations from the Council Boards and Commissions Subcommittee and adopted **RES. 2023-50** appoint/reappoint members to various Boards and Commissions.

### **15 C. Council Youth Liaison Appointments**

Approved the recommendations from the Council Boards and Commissions Subcommittee and adopted **RES. 2023-51** appointing Alliyz Whetstine and Ana Shrivastava as the 2023-2024 Council Youth Liaisons for terms to expire June 30, 2024.

### **16 C. Master Intergovernmental Agreement, State of Arizona Department of**

**Transportation, Traffic Management and Operations**

Adopted **RES. 2023-52** approving a Master Intergovernmental Agreement with the State of Arizona Department of Transportation for traffic management and operations.

**17 C. Addendum One, Master Intergovernmental Agreement, State of Arizona Department of Transportation, Traffic Management and Operations**

Adopted **RES. 2023-53** approving Addendum One to the Master Intergovernmental Agreement with the State of Arizona Department of Transportation for traffic management and operations.

**18 C. Intergovernmental Agreement Amendment, Peoria Unified School District, Facility Use and Development Processing**

Approved an amendment to the Intergovernmental Agreement with the Peoria Unified School District, for facility use and development processing to extend the Agreement for one additional year.

**19 C. Amendment to Council Approval Conditions of ZonaPart, LLC Development Agreement**

Rick Buss, Assistant City Manager presented on the Amendment to the ZonaPart, LLC Development Agreement. Information included:

- Deadline extension
- Historic Downtown Redevelopment
- Project History
- October 25, 2022 Council Action
- Conditional Approval
- Council options

Bruce Shapiro, Arizona Partners presented on the Amendment to the ZonaPart, LLC Development Agreement. Information included:

- Project hold due to change in staff and City Council
- Changes to City's Infrastructure Plan
- Proposed "Peoria Hub"
- Downtown Peoria Upgrades
- Timeframe extension
- Jefferson Building
- School House Building
- Napa Building

Discussion ensued regarding:

- Moving the project forward
- Project hold due to changes in staff
- City's commitment for infrastructure
- Demolition costs
- Lack of public outreach

Motion was made by Mayor Pro Tem Edwards, seconded by Vice Mayor Dunn to recess the meeting into Executive Session.

Upon vote, the motion carried unanimously 7 to 0.

Authorized the holding of an Executive Session pursuant to A.R.S. §§38-431.03(A)(3) and 38-431.03(A)(4) for the purpose of discussions or consultations with designated representatives of the public body and/or legal counsel in order to consider its position and instruct its representatives.

At 7:01 p.m. Mayor Beck recessed the Regular Meeting into Executive Session.

At 7:32 p.m. Mayor Beck reconvened the Regular Meeting.

Motion was made by Councilmember Crawford, seconded by Councilmember Edwards to deny the time extension amendment for the ZonaPart, LLC Development Agreement.

Upon vote, the motion carried unanimously 7 to 0.

**20 C. Maintenance Improvement District No. 1250, Cowley Phase 2 Parcel 2A, 135th Avenue and Dynamite Road**

Approved the Petition for Formation and adopted **RES. 2023-54** intention and ordering the formation of proposed Maintenance Improvement District No. 1250, Cowley Phase 2 Parcel 2A, located at 135th Avenue and Dynamite Road; and adopted **RES. 2023-55** ordering the improvements within the proposed Maintenance Improvement District and declaring an emergency.

**21 C. Maintenance Improvement District No. 1275, Aloravita North Phase 3 Parcel 11, Aloravita Boulevard and East Wing Vista Trail**

Approved the Petition for Formation and adopted **RES. 2023-56** intention and ordering the formation of proposed Maintenance Improvement District No. 1275, Aloravita North Phase 3 Parcel 11, located at Aloravita Boulevard and East Wing Vista Trail; and adopted **RES. 2023-57** ordering the improvements within the proposed Maintenance Improvement District and declaring an emergency.

**22 C. Street Light Improvement District No. 1155, Cowley Phase 2 Parcel 2A, 135th Avenue and Dynamite Road**

Approved the Petition for Formation and adopted **RES. 2023-58** intention and ordering the formation of proposed Street Light Improvement District No. 1155, Cowley Phase 2 Parcel 2A, located at 135th Avenue and Dynamite Road; and adopted **RES. 2023-59** ordering the improvements within the proposed Street Light Improvement District and declaring an emergency.

**23 C. Street Light Improvement District No. 1177, Aloravita North Phase 3 Parcel 11, Aloravita Boulevard and Eastwing Vista Trail**

Approved the Petition for Formation and adopted **RES. 2023-60** intention and ordering the formation of proposed Street Light Improvement District No. 1177, Aloravita North Phase 3 Parcel 11, located at Aloravita Boulevard and Eastwing Vista Trail; and adopted **RES. 2023-61** ordering the improvements within the proposed Street Light Improvement District and declaring an emergency.

**24 C. Deeds and Easements, Various Locations**

Adopted **RES. 2023-62** accepting Deeds and Easements for various Real Property interests acquired by the City.

**25 C. Abandonment of City Interest, Federal Patent Easement, 9350 West Yearling Road**

Adopted **RES. 2023-63** abandoning City interest in a portion of a Federal Patent Easement as recorded in Maricopa County Recorder Docket 3116, Page 358, located at 9350 West Yearling Road.

**26 C. Final Plat, Dunkin 83rd Avenue & Olive, a Replat of Lot 2 of Parc at Roundtree Ranch Final Plat, Olive Avenue & 83rd Avenue**

Approved a Final Plat for Dunkin 83rd Avenue & Olive, a Replat of Lot 2 of Parc at Roundtree Ranch Final Plat, located on the Northeast corner of Olive Avenue and 83rd Avenue, subject to stipulations.

**27 C. Final Plat, Jordan Business & Industrial Park, Southwest Corner 75th Avenue and Mountain View Road**

Approved a Final Plat of Jordan Business & Industrial Park, located on the Southwest corner of 75th Avenue and Mountain View Road, subject to stipulations.

**28 C. Final Plat, Peoria Self Storage, Peoria Avenue and 88th Drive**

Approved a Final Plat of Peoria Self Storage, located on Peoria Avenue and 88th Drive, subject to stipulations.

**29 C. PUBLIC HEARING - Liquor Licenses, Various Locations**

Recommend approval to the State Liquor Board for:

- (a) New Restaurant (Series 12) Liquor License for Someburros located at 8200 West Thunderbird Road, Timothy S. Vasquez, Applicant, LL#23-010400; and
- (b) New Restaurant (Series 12) Liquor License for Canela's Placita, located at 9976 North 91st Avenue #109, Cecilia Coronel, Applicant, LL#23-010401.

**Call To The Public (Non-Agenda Items)**

Tom Bortoff, Peoria resident spoke regarding city parks and pickleball.

Paul Olson, Surprise resident spoke regarding Pickleball in Peoria.

Lawrene Botorff, Peoria resident spoke regarding:

- Invocation
- National Day of Prayer
- Pickleball at Alta Vista Park

James Buehrle, Peoria resident addressed Council regarding pavement issues on Vistancia Boulevard.

**Reports from City Manager:**

Henry Darwin, City Manager reported on:

- Deputy City Manager recruitment
- National Library Week - "There is More to the Story"

**Reports from Council Youth Liaisons:**

Council Youth Liaison Agarwal reported on:

- Youth Advisory Board Sneaker Drive

Council Youth Liaison Dyer thanked the Office of Communication for the Public Service Announcement regarding stress management during finals week.

**Reports from the Mayor:**

Mayor Beck reported on:

- City Hall will be illuminated in blue in honor of National Crime Victims Week.
- National Library Week

**ADJOURNMENT:**

Being no further business to come before the Council, the meeting was duly adjourned at 7:56 p.m.

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Jason Beck, Mayor

**CERTIFICATION AND ATTESTATION**

I hereby certify that the foregoing minutes are a true and correct summary of the proceedings of the City Council Meetings of the City Council of Peoria, Arizona held on the April 25, 2023. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 16th day of May, 2023.

(Seal)

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Lori Dyckman, City Clerk